

CHRONOLOGY
American Stone, Inc.
Cotton Thomas Quarry

M/003/024

(9/21/98)

- June 29, 1994: DOGM inspectors discovered unpermitted stone quarry (less than 5 acres) in the Cotton Thomas Basin area of Box Elder County. Equipment at the site indicated it was operated by American Stone.
- July 8, 1994: DOGM notified Mr. Lon Thomas of the requirement to file a Notice of Intention to Conduct Small Mining Operations.
- July 27, 1994: DOGM receives Small Mining Notice from American Stone for the Cotton Thomas Quarry.
- August 16, 1994: DOGM formally accepts Small Mining Notice. The acceptance letter states that the operator needs to contact the Division prior to expanding the operation beyond 5 acres to discuss permitting requirements.
- September 21, 1994: DOGM inspects quarry to resolve issues regarding requested variances. 4.5 acres are currently disturbed. Mr. Thomas cautioned to submit a Large Mining Notice before he expanded beyond 5 acres.
- February 1, 1995: American Stone submitted annual report stating 1/2 acre new disturbance and a total of 4 acres of disturbance at year's end (1994). No reclamation performed.
- February 1, 1996: American Stone submitted annual report stating 1/4 acre new disturbance and a total of 4-1/2 acres of disturbance at year's end (1995). No reclamation performed.
- January 14, 1997: American Stone submitted annual report stating 1/4 acre new disturbance and a total of 4 acres of disturbance at year's end (1996). No reclamation performed.
- June 26, 1997: Site inspection found in excess of 7.5 acres of disturbance.
- July 10, 1997: American Stone, Inc. notified of the requirement to file a Large Mining Notice due to expansion of the Cotton Thomas Quarry in excess of 5 acres of disturbance. The Large Mining Notice to be submitted by August 11, 1997.
- August 19, 1997: Site inspection discovered new disturbances associated with the Cotton Thomas Quarry. Total current disturbance estimated at 24.92 acres.
- September 11, 1997: Division receives hand delivered Plan of Operations for Cotton Thomas Granite Buckskin Project from Tracy Morey.

- September 18, 1997: Division issues a Notice of Non-Compliance for failure to file a Notice of Intention to Commence Large Mining Operations and receive Division approval before enlarging a small mining operation beyond 5 acres.
- September 25, 1997: Division certified letter to Tracy Morey denying Plan of Operations for the Buckskin Project. Although it was submitted as a Plan of Operations (large mine), the Division believes it was the intention to be a small mining notice of intention. Reason for denial: 1) surface disturbance includes @7.2 acres which would require a detailed mining and reclamation plan for a large mine and posting of acceptable reclamation surety, 2) During site inspection of 8/19/97, the crew working the Buckskin pit indicated they were working for American Stone (the Notice indicated that American Stone owns and controls the site). The Division considers American Stone to be the operator of this site. This proposed notice is not clearly independent, or completely separated from other stone activities by American Stone in the Cotton Thomas basin area. 3) This site is also subject to the Notice of Non-Compliance issued to American Stone on 9/18/97 which requires that all mining operations in the Cotton Thomas area be suspended until a complete and adequate NOI to conduct *large* mining operations is filed and approved by this office. Until the Notice of Non-Compliance is resolved, the Division will not consider transferring any part of the Cotton Thomas Basin quarrying operations to another party.
- September 30, 1997: Meeting held with Lon Thomas to discuss recent activities at the Cotton Thomas Quarry and the Notice of Non-Compliance issued on 9/18/97. The County road issue was discussed. Discussed the acreage associated with the pits, and interconnecting roads (about 25 acres). Mr. Thomas did not want the roads included that were on his property and would have a post-mine land use. Interim surety would have to be posted by 10/20/97.
- Mr. Thomas will request in writing an extension for posting surety. Also he will meet on 10/6/97 to discuss the permit review. He will contact the Natural Resources Conservation Service Office in Tremonton, Utah to obtain soil survey information. The Division will provide guidance in completing the LMO process, but will not prepare this permit application for him.
- October 2, 1997: Letter from Box Elder County regarding the County requirements for the Thomas Basin. Mr. Thomas was to scarify the old road area and other surfaces he disturbed and then reseed. He was to reclaim and reseed all areas disturbed on the association ground. He was never to open the road during snow conditions.
- October 6, 1997: Letter from American Stone requesting extension until August 1998 for submitting the plan.

- October 6, 1997: Letter from American Stone (with map attached) stating reasons for justification of post mining road use. He runs a cattle operation and needs access to inspect and operate ranch. Letter also stated the roads marked in 'red' on the map will be reclaimed next year when weather conditions permit.
- October 6, 1997: Received "Contract for Sale of Membership in Non-Profit Corporation." Agreement made and entered into the 6th day of March, 1979 between Douglas Bedke (seller) and Walter J. Thomas (purchaser).
- October 8, 1997: Certified letter to American Stone responding to time extension request. Agreements to mitigate the Notice of Non-Compliance are: 1) interim surety must be in place by 10/20/97. 2) Identify a five acre area within which mining activities will be restricted until the LMO is approved by the Division. No new disturbance or expansion of existing disturbed area is permitted until the LMO is approved. 3) Division to perform an onsite inspection of 10/17/97 to assist in obtaining the required vegetation information. August 1998 to submit plan is denied. The Division will grant until January 6, 1997 to submit initial permit application.
- October 17, 1997: Surety bond form MR-5 faxed to Lon Thomas. Division requests "draft" copy of bond faxed back prior to finalization.
- October 28, 1997: E-Mail note to file. Call made to Lon Thomas to inquire why \$29,000 reclamation surety which was due on 10/22/97 was not received. He was unaware that the surety company had not provided us with the required bond. (The Division had previously called the surety company and was told that the bond was rejected). Lon said he was not aware of this. He will contact his bank to work out another form of surety prior to leaving town. Division requested name of bank and we would contact them directly in his absence. (1st Security Bank - Larry Curtis). Division faxed appropriate Certificate of Deposit form to Mr. Curtis. The paperwork was turned over to Allison Knudson. She later informed us that the CD was in order for us to finalize the paperwork.
- October 31, 1997: Memo to file regarding 10/15/97 site inspection and vegetation survey requested by Mr. Thomas to assist in preparing the LMO. Based on the random sampling survey, the percent ground cover was calculated averaging all transects. Reclamation standard for revegetation success would be 70% of the 63% vegetation ground cover or 44.1%.
- January 12, 1998: Received American Stone's Notice of Intention to Commence Large Mining Operations at the Cotton Thomas mine.

- February 19, 1998: Letter sent to American Stone. Due to a backlog of other permit reviews, the Division is unable to respond within the usual 30 days but hopes to be able to complete a review of the plan within the next 45 days.
- September 10, 1998: Received 1997 annual report. Stated 1 additional acre disturbed, nothing reclaimed, with a total of 10 disturbed acres at years end.
- September 16, 1998 Site inspected by DOGM staff. American Stone crew working the adjacent Nelson's Quartzite (S/003/036) and Nelsons Quarry (S/003/041). Worker indicated that Mr. Thomas had purchased these quarries. The Nelson's Quartzite (S/003/041) has been expanded by over double what it was observed last year in October. A small area adjacent to the Nelsons Quarry (S/003/041) has also been expanded. New road being constructed to the north and east of this location. New road and quarry area observed to the north of the Buckskin quarry and to the west and south of the Buckskin quarry (north of the little heart quarry). New roads observed from the camp area to the Autumn Gold access road. Roads marked in 'red' on the map submitted October 6, 1997 have not been reclaimed.